



KATHY HOCHUL
Governor

FRANK T. WALSH, JR.
Acting Medicaid Inspector General

January 26, 2023

Thomas Halloran
President & Chief Executive Officer
WellCare of New York, Inc.
c/o Fidelis Care
25-01 Jackson Avenue
Long Island City, New York 11101

Re: Final Audit Report
Audit #: 20-4884
Provider #: 01182503

Dear Thomas Halloran:

This letter constitutes the Office of the Medicaid Inspector General's (OMIG) Final Audit Report of WellCare of New York, Inc (Plan).

The New York State Department of Health (DOH) is the single state agency responsible for the administration of the Medicaid program. As part of its responsibility as an independent entity within DOH, the Office of the Medicaid Inspector General (OMIG) conducts audits and reviews of various providers of Medicaid reimbursable services, equipment, and supplies. These audits and reviews are directed at assessing provider compliance with applicable laws, regulations, rules, and policies of the Medicaid program as set forth in New York Public Health Law, New York Social Services Law, the regulations of DOH (Titles 10 and 18 of the New York Codes, Rules and Regulations), the regulations of the Department of Mental Hygiene (Title 14 of the New York Codes, Rules and Regulations), DOH's Medicaid Provider Manuals, *Medicaid Update* publications, and the Medicaid Managed Care/Family Health Plus/HIV Special Needs Plan Model Contract (Contract).

The objective of this audit was to assess the Plan's adherence to applicable laws, regulations, rules, and policies governing the New York State Medicaid program and to verify that:

- supplemental newborn or maternity capitation payments made to the Plan on behalf of enrollees for which no corresponding hospital birth or delivery encounter data was submitted are recovered; and
- the newborn or maternity inpatient hospital bill was paid by the MCO; and
- supplemental newborn and maternity capitation payments were submitted in accordance with applicable rules and requirements.

After reviewing the Plan's November 10, 2022, response to OMIG's September 22, 2022, Draft Audit Report, OMIG has determined that for the period and scope reviewed, the Plan generally adhered to

applicable Medicaid billing rules and regulations. OMIG has concluded that no further action is required pertaining to this audit.

The Plan has the right to challenge this action and determination by requesting an administrative hearing within sixty (60) days of the date of this notice. In accordance with 18 NYCRR Section 519.18(a), "The issues and documentation considered at the hearing are limited to issues directly relating to the final determination. An appellant may not raise issues regarding the methodology used to determine any rate of payment or fee, nor raise any new matter not considered by the department upon submission of objections to a draft audit or notice of proposed agency action. "If the Plan wishes to request a hearing, the request must be submitted in writing within sixty (60) days of the date of this notice to:

General Counsel
New York State
Office of the Medicaid Inspector General
Office of Counsel
800 North Pearl Street
Albany, New York 12204

Questions regarding the request for a hearing should be directed to Office of Counsel, at (518) 408-5845.

OMIG reserves the right to conduct further reviews of your participation in the Medicaid program, take action where appropriate, and recover any associated overpayments. If you have any questions regarding the above, please contact Bethany Miller at (518) 486-3429 or through email at bethany.miller@omig.ny.gov. Thank you for your cooperation.

Sincerely,



Jessica Brearton, Audit Manager
Bureau of Managed Care Audit & Program Reviews
Division of Medicaid Audit
Office of the Medicaid Inspector General

Certified Mail Number: 7021-2720-0000-9234-4092
Return Receipt Requested